

Applicants: Blightman et al.  
Serial No.: 09/855,979  
Filing Date: May 14, 2001  
Docket No.: ALA-016

## REMARKS

Reconsideration and allowance is respectfully requested. The listing of claims (Claims 1-34) replaces all prior versions and listings of claims in the application. No claims are cancelled or withdrawn by this amendment. Claims 31-34 are added.

### The Specification

In accordance with the Examiner's suggestion (Office Action, page 2, lines 8-10), the specification has been amended to update the status of the related applications.

The Office Action suggests that the word "then" in (c) of Claim 1 be moved to clarify the claim (see Office Action, page 2, lines 11-12). After careful reflection, Applicants respectfully submit that the claim is clearer as written than it would be if it were amended as the Office Action suggests. Applicants would prefer to leave the claim as is.

The Office Action also suggests that the term "network" in (e) of Claim 1 is a "relative term." The Office Action indicates that because the term is a word of degree that the specification should include a standard for ascertaining that degree, and because the specification does not provide a standard for ascertaining the degree, the claim is indefinite (see Office Action, page 2, lines 12-17). In response, Applicants respectfully disagree. The term "network" in Claim 1 is not a term of degree like the "about", "essentially", "similar" and "substantially". See MPEP 2173.05(b). In contrast, the term "network" is a noun. In Applicants view, Claim 1 is clear and definite as drafted. Applicants therefore decline to amend Claim 1

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Claims 5 and 25-27

The Office Action states that Claims 5 and 25-27 would be allowable if rewritten into independent form (Office Action, page 8, lines 13-16. Applicants have therefore rewritten Claims 5 and 25-27 into independent form. Allowance of Claims 5 and 25-27 is requested.

Claims 1-4, 6-24 and 28-30

Claims 1-4, 6-24, and 28-30 are rejected under 35 U.S.C. §102 for being anticipated by "Applicant Admitted Prior Art (AAPA)". With respect to independent Claim 1, the Examiner maintains that the recited "DMA command queue" in Claim 1 is disclosed by the "NID 100 with command queue 122 in SRAM 112" of the AAPA (Office Action, page 4, lines 16-18). With respect to independent Claim 11, the Examiner maintains that the recited "DMA command queue" of Claim 11 is disclosed by the "DMA command queue 122 in SRAM 122" (Office Action, page 6, line 16 through page 7, line 1). The Examiner apparently overlooked independent Claim 14 and did not specify where the Examiner believes the recited "DMA command queue" is found in the AAPA, but with respect to independent Claim 21, the Examiner maintains that the recited "DMA command queue" in Claim 21 is disclosed by the "DMA Commands 122" of the AAPA (Office Action, page 3, lines 12-15). With respect to independent Claim 28, the Examiner maintains that the recited "DMA command queue" in the claim is disclosed by the "DMA Commands 122" in the AAPA. The Claims 1, 11, 14, 21 and 28 constituted all the pending independent claims. The §102 rejection of each claim of Claims 1-4, 6-24 and 28-30 therefore depends on "DMA commands 122" (see AAPA of Figure 1) being a "DMA command queue." The Examiner maintains that "DMA commands 122" in the AAPA of Figure 1 are a "DMA command queue." Applicants respectfully disagree and traverse the §102 rejection.

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Nowhere does the "Background Information" section of the Applicants' specification or Figure 1 indicate that there is any DMA command queue in the network interface device 100 of Figure 1. There are DMA commands in SRAM 112, but they are not in a queue. Applicants' Background Information explains that "DMA controller 115 may execute DMA commands in an order different from the order in which the DMA commands were placed in SRAM 112 (Page 4, lines 12-14). The Background Information section indicates that because of this, "processor 109 cannot only check that the last move in the sequence is completed. Rather, processor 109 must check to make sure that all the moves are completed before processor 109 goes on in its software ..." (Page 4, lines 22-25). Applicants respectfully submit that just because there may be DMA commands in SRAM 112 of Figure 1 does not mean that those DMA commands are in a "queue" or constitute a "queue." Applicants submit that the DMA commands in SRAM 112 in Figure 1 are not in a queue<sup>1</sup> and there was no DMA command queue in the AAPA of Figure 1.

Moreover, Applicants note that dependent Claim 2 further recites a "DMA command complete queue". The Office Action maintains that item 117 in the AAPA (the "17" on page 5 of the Office Action, line 14, is assumed to be a typographical error) is a queue. This is not true. As explained in paragraph [0007] of Applicants' specification, 117 is a register, and more particularly a "DMA command complete register." Register 117 is not a queue. The AAPA therefore does not anticipate Claim 2 for multiple reasons.

Reconsideration and withdrawal of the §102 rejection is requested.

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<sup>1</sup> If the Examiner maintains the §102 rejection, Applicants respectfully request that the Examiner in the next Office Action explain in a little more detail how it is that commands 122 in SRAM 122 constitute a queue. Applicants need a better understanding of the Examiner's reasoning in order to be able to respond. What characteristic or characteristics of a "queue" is it that the Examiner thinks that these commands 122 have? How is there any DMA command "queue" in Figure 1?

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#### New Claims 31-34

New independent Claim 31 recites "pushing values onto a DMA command queue in an order" and "popping the DMA command queue such that a DMA controller on the NID executes the plurality of DMA commands in the order in which the associated values were pushed onto the DMA command queue". Support is found in paragraph [0010] and elsewhere in Applicants' specification. Fast-path processing (fast-path processing is performed by NID 200 as mentioned on page 8, paragraph [0020], of Applicants' specification) is described at length in 09/464,283 (now U.S. Patent No. 6,427,173) and in other applications that are incorporated by reference into the present application. The means element of dependent Claim 34 is in means-plus-function form and is to be construed under §112, ¶6, whereas the NID of independent Claim 31 is not a means-plus-function recitation and is not to be construed under §112, ¶6.

#### Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application (Claims 1-34 are pending) is in condition for allowance. If the Examiner would like to discuss any aspect of this application, the Examiner is requested to contact the undersigned at (925) 621-2115.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail on the date indicated below and is addressed to:

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Date of Deposit: March 2, 2005

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